

02-22-02

H/Re

JC784 U.S. PTO
02/21/02

DOCKET NO. : GLIS-0144

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application of:
Kuei-Ying Lin
Mark D. Matteucci

Original Patent No.:
6,028,183

Original Patent Issue Date:
February 22, 2000

For: Pyrimidine Derivatives and Oligonucleotides Containing Same

EXPRESS MAIL LABEL NO: EL 884784001 US
DATE OF DEPOSIT: FEBRUARY 21, 2002

EL884784001US

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

TRANSMITTAL LETTER FOR REISSUE APPLICATION
PURSUANT TO 37 CFR §1.171

Transmitted herewith is a request to reissue of **United States Patent No. 6,028,183** issued on February 22, 2000 of Kuei-Ying Lin, Mark D. Matteucci, entitled **Pyrimidine Derivatives and Oligonucleotides Containing Same** because the applicant believes the original patent to be wholly or partly inoperative or invalid

- ☒ by reason of a defective specification or drawing.
- ☐ by reason of the patentee claiming more or less than patentee had the right to claim in the patent.

1. The specification of this reissue application including claims and abstract is furnished as follows:

- ☒ A single sided copy of the printed patent
- ☐ A copy of the printed patent, in double column format each page on only one side of a single sheet of paper with amendments physically incorporated therein.

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2. The Drawings of this reissue application are furnished as follows

- ☐ a copy of the printed drawings of the patent.
- ☐ The drawings include changes. Accordingly applicants are submitting a drawing sketch on a sheet separate from the printed drawings identifying the figure to which it pertains and showing the proposed changes in red

3. Reissue Declaration and Power of Attorney

- ☒ Declaration and power of attorney executed by:
- ☒ Assignee of entire interest
- ☐ All inventors
- ☐ An Associate Power of Attorney executed by _____ who was named in the original executed declaration and power of attorney.

4. A Preliminary Amendment is furnished as follows:

- ☐ The amendment is made by physically incorporating such changes into the copy of the specification pursuant to 37 CFR 1.173(b) and (d).
- ☒ A separate amendment paper including the status of the claims as amended and support for such amendment pursuant to the requirements identified in 37 CFR 1.173 (a-g) is enclosed herewith.

5. Original Letters Patent

- ☐ Original letters patent is enclosed
- ☐ Offer by the inventors to surrender original letters patent is attached
- ☐ Assent of assignee to surrender is attached.
- ☒ Offer by the assignee of the entire interest to surrender original letters patent is attached (the reissue application does not seek to enlarge the claims of the original patent).
- ☐ Declaration that original letters patent lost or inaccessible.
- ☐ Original letters patent or declaration that original letters patent lost or inaccessible will be submitted after prosecution on the merits but before the application has been allowed.

6. Consent of Assignee and Assignee's Interest

In accordance with 37 C.F.R. §1.171(a), this application for reissue is accompanied by Consent of Assignee for Reissue and Assignee's Statement of Ownership Interest [37 C.F.R. §3.73(b)] with:

☐ Copy or copies of recorded documentary evidence of a chain of title from the original owner to the assignee.

☒ Designation by reel and frame where documentary evidence of a chain of title from the original owner to the assignee is recorded in the Office.

7. ☐ Information Disclosure Statement

☐ PTO Form 1449 is enclosed

☐ Copies of references @@-@@ cited on PTO Form 1449 are enclosed

8. PRIORITY - 35 U.S.C. § 119

☐ Priority of application Serial No. @@ filed on @@ in @@ (country) is claimed under 35 U.S.C. § 119.

☐ The certified copy has been filed in prior application Serial No. @@ filed on @@

9. Entity Status

☒ Applicant is a large entity

☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 C.F.R. §1.27 as:

☐ an Independent Inventor

☐ a Small Business Concern

☐ a Nonprofit Organization.

9. FEE CALCULATION

			SMALL ENTITY		NOT SMALL ENTITY	
			RATE	FEE	RATE	FEE
			\$370.00	\$	\$740.00	\$740.00
	No. Filed	No. Extra				
TOTAL CLAIMS	30 - 20 OR the number of claims in original patent, whichever is greater =		\$9 each	\$	\$18 each	\$180.00
INDEP. CLAIMS	2 - the number of independent claims in original patent (2)=		\$42 each	\$	\$84 each	\$0
MULTIPLE DEPENDENT CLAIMS ARE TREATED AS ORDINARY CLAIMS FOR FEE PURPOSES. 37 C.F.R. §1.16(j).						
TOTAL FILING FEE DUE			\$		\$920.00	

10. Method of Payment of Fees

- ☒ A check in the amount of \$920.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050.

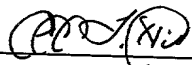
This sheet is attached in duplicate.

11. Correspondence Address

Address all telephone calls and correspondence to:

Joseph Lucci
WOODCOCK WASHBURN LLP
 One Liberty Place - 46th Floor
 Philadelphia PA 19103
 Telephone No.: (215) 568-3100
 Facsimile No.: (215) 568-3439

Date: February 21, 2002


 Gregory L. Hillyer
 Registration No. 44,154

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Kuei-Ying Lin
Mark D. Matteucci

Serial No.: 08/966,392

Filing Date: November 7, 1997

Patent No.: 6,028,183

Issued:: February 22, 2000

For: Pyrimidine Derivatives and Oligonucleotides Containing Same

EXPRESS MAIL LABEL NO.:
DATE OF DEPOSIT:

Commissioner of Patents and Trademarks
Washington DC 20231

STATEMENT UNDER 37 C.F.R. §3.73(b)

ISIS Pharmaceuticals, Inc., a corporation of Delaware,

states that it is:

☒ the assignee of the entire right, title, and interest; or

☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.

☒ 1. The assignment was recorded in the Patent and Trademark Office at Reel 011211, Frame(s) 0719.

☐ 2. The assignment has not yet been recorded. A copy of the assignment is attached.

OR

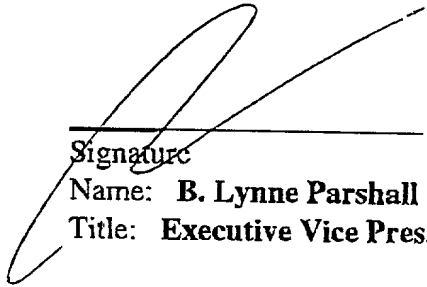
B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

i. From: @@ To: @@ The document was recorded in the Patent and Trademark Office at Reel @@, Frame(s) @@, or for which a copy thereof is attached.

- ii. From: @@ To: @@ The document was recorded in the Patent and Trademark Office at Reel @@, Frame(s) @@, or for which a copy thereof is attached.
- iii. From: @@ To: @@ The document was recorded in the Patent and Trademark Office at Reel @@, Frame(s) @@, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.


Signature

Name: **B. Lynne Parshall**

Title: **Executive Vice President**

Date: *FEB 21, 2002*